

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL NOTE**

**HB 3627 - SB 3616**

March 9, 2012

**SUMMARY OF BILL:** Removes the authority of a regional transportation authority (RTA) to exercise eminent domain in condemning or acquiring property as needed for the construction or operation of mass transit or transportation services. Specifies the term "authority" is to be applied to RTAs as well as the regional transportation authority of Middle Tennessee in all provisions governing RTAs.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- According to the Department of Transportation (TDOT), this legislation will have no fiscal impact on the functions of the Department.
- Currently if an authority requires property for construction or operation of mass transit or for transportation services, the authority consults with the local governing body.
- The local governing body, if in agreement with the authority, will acquire the land through powers bestowed to the local government.
- Based on information provided by a representative of RTAs, the use of eminent domain has never been exercised by an authority; removing the authority for its use will not alter current procedures or policies.
- It is assumed the powers of local governing bodies will not be affected by this legislation.
- Any fiscal impact to state or local government as a result of this legislation is considered not significant.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise".

Lucian D. Geise, Executive Director

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/jrh